

1 A bill to be entitled
2 An act relating to reading instruction; amending s.
3 1001.215, F.S.; revising the duties of the Just Read,
4 Florida! Office; amending s. 1001.42, F.S.; requiring
5 certain schools to include specific information in the
6 school's improvement plan; requiring certain schools
7 to implement an early warning system for students who
8 meet specific criteria; requiring certain school
9 personnel to monitor data from the early warning
10 system and perform certain duties when a student
11 exhibits specified indicators; amending s. 1002.20,
12 F.S.; revising requirements for notifying a parent of
13 a student with a substantial reading deficiency;
14 amending s. 1002.59, F.S.; revising the emergent
15 literacy and performance standards training course
16 requirements to include specific reading instruction;
17 amending s. 1002.67, F.S.; requiring the Office of
18 Early Learning to approve specific Voluntary
19 Prekindergarten Education Program assessments and
20 establish requirements for individuals administering
21 the assessments; requiring certain prekindergarten
22 students to receive specific reading instruction;
23 requiring the office to identify certain guidelines by
24 rule and provide examples of certain instructional
25 strategies; amending s. 1002.69, F.S.; conforming
26 provisions; requiring data from the statewide

27 kindergarten screening to be used to identify certain
28 students; amending s. 1004.04, F.S.; revising core
29 curricula requirements for certain teacher preparation
30 programs to include certain reading instruction and
31 interventions; amending s. 1004.85, F.S.; requiring
32 certain educator preparation institutes to provide
33 evidence of specified reading instruction as a
34 condition of program approval; amending s. 1008.25,
35 F.S.; requiring district school boards to allocate
36 certain instruction resources to certain students
37 deficient in reading; revising criteria and requiring
38 the State Board of Education to identify guidelines
39 for determining whether certain students have a
40 substantial deficiency in reading; revising the
41 required plans for certain students deficient in
42 reading; revising the parental notification
43 requirements for students with a substantial
44 deficiency in reading; requiring a school to provide
45 updates to parents of students who receive certain
46 services; requiring the Department of Education to
47 develop a handbook containing specific information for
48 parents of students with a substantial reading
49 deficiency; defining the terms "dyslexia" and
50 "dyscalculia"; requiring schools to provide certain
51 instruction to students who received a good cause
52 exemption from retention; revising grounds for such

53 good cause exemption; revising intervention
54 requirements for certain retained students; revising
55 provisions relating to the Intensive Acceleration
56 Class for retained students in certain grades;
57 revising student progress evaluation requirements;
58 amending s. 1008.345, F.S.; revising reporting
59 requirements of the Commissioner of Education relating
60 to the state system of school improvement and
61 education accountability; amending s. 1011.67, F.S.;
62 revising the contents of a comprehensive staff
63 development plan required for each school district;
64 creating s. 1012.567, F.S.; requiring applicants for
65 an educator certificate in certain areas to
66 demonstrate competence in specified areas; providing
67 that a teacher certification from another state does
68 not meet competency requirements; requiring the state
69 board to identify teacher certification areas in which
70 candidates must demonstrate competence; requiring
71 certain teacher preparation courses to provide
72 specific instruction in order to receive approval;
73 providing requirements for an endorsement in reading
74 instruction; requiring reading endorsement
75 competencies to align with specified strategies;
76 providing for review of specialization and coverage
77 area requirements for certain education area
78 certifications; providing for rulemaking; amending s.

79 1012.585, F.S.; revising requirements for renewal of
 80 professional teaching certificates; amending s.
 81 1012.586, F.S.; authorizing the department to
 82 recommend consolidation of endorsement areas and
 83 requirements for endorsements for teacher certificate;
 84 amending s. 1012.98, F.S.; revising duties and
 85 requirements for implementation of the School
 86 Community Professional Development Act; providing an
 87 appropriation and authorizing positions; providing an
 88 effective date.

89

90 Be It Enacted by the Legislature of the State of Florida:

91

92 Section 1. Section 1001.215, Florida Statutes, is amended
 93 to read:

94 1001.215 Just Read, Florida! Office.—There is created in
 95 the Department of Education the Just Read, Florida! Office. The
 96 office is ~~shall be~~ fully accountable to the Commissioner of
 97 Education and shall:

98 (1) Train ~~highly effective~~ reading coaches.

99 (2) Create multiple designations of effective reading
 100 instruction, with accompanying credentials, to enable ~~which~~
 101 ~~encourage~~ all teachers to integrate reading instruction into
 102 their content areas.

103 (3) Provide training to ~~Train~~ K-12 teachers, reading
 104 coaches, and school principals on effective content-area-

105 specific reading strategies; the integration of content-rich,
106 nonfiction texts from other core subject areas into reading
107 instruction; and evidence-based reading strategies identified in
108 subsection (7). For secondary teachers, emphasis shall be on
109 technical text. These strategies must be developed for all
110 content areas in the K-12 curriculum.

111 (4) Provide parents with information and strategies for
112 assisting their children in reading, including reading in the
113 content areas area.

114 (5) Provide technical assistance to school districts in
115 the development and implementation of district plans for use of
116 the research-based reading instruction allocation provided in s.
117 1011.62(9) and annually review and approve such plans.

118 (6) Review, evaluate, and provide technical assistance to
119 school districts' implementation of the K-12 comprehensive
120 reading plan required in s. 1011.62(9).

121 (7) Work with the Florida Center for Reading Research to
122 identify effective research-based and evidence-based reading
123 instructional and intervention programs that incorporate
124 explicit, systematic, sequential, and multisensory approaches to
125 teaching phonemic awareness, phonics, vocabulary, fluency, and
126 text comprehension and incorporate decodable or phonetic text
127 instructional ~~provide information on research-based reading~~
128 ~~programs and effective reading in the content area strategies.~~
129 Reading intervention includes evidence-based strategies
130 frequently used to remediate reading deficiencies and include

131 individual instruction, tutoring, or mentoring that targets
132 specific reading skills and abilities.

133 (8) Periodically review the Next Generation Sunshine State
134 Standards for English Language Arts to determine their
135 appropriateness at each grade level ~~reading at all grade levels.~~

136 (9) Periodically review teacher certification requirements
137 and examinations, including alternative certification
138 requirements and examinations ~~exams~~, to ascertain whether the
139 examinations measure the skills needed for evidence-based
140 ~~research-based~~ reading instruction and instructional strategies
141 for teaching reading, including reading in ~~the~~ content areas.

142 (10) Work with teacher preparation programs approved
143 pursuant to ss. ~~s.~~ 1004.04 and 1004.85 to integrate effective,
144 research-based, and evidence-based reading instructional and
145 intervention strategies; ~~and~~ reading in ~~the~~ content area
146 instructional strategies; and explicit, systematic, and
147 multisensory reading instructional strategies into teacher
148 preparation programs.

149 (11) Administer grants and perform other functions as
150 necessary to help ~~meet the goal that all~~ students read at their
151 highest potential ~~grade level.~~

152 Section 2. Paragraphs (a) and (b) of subsection (18) of
153 section 1001.42, Florida Statutes, are amended to read:

154 1001.42 Powers and duties of district school board.—The
155 district school board, acting as a board, shall exercise all
156 powers and perform all duties listed below:

157 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
158 Maintain a system of school improvement and education
159 accountability as provided by statute and State Board of
160 Education rule. This system of school improvement and education
161 accountability shall be consistent with, and implemented
162 through, the district's continuing system of planning and
163 budgeting required by this section and ss. 1008.385, 1010.01,
164 and 1011.01. This system of school improvement and education
165 accountability shall comply with the provisions of ss. 1008.33,
166 1008.34, 1008.345, and 1008.385 and include the following:

167 (a) School improvement plans.—

168 1. The district school board shall annually approve and
169 require implementation of a new, amended, or continuation school
170 improvement plan for each school in the district. If a school
171 has a significant gap in achievement on statewide, standardized
172 assessments administered pursuant to s. 1008.22 by one or more
173 student subgroups, as defined in the federal Elementary and
174 Secondary Education Act (ESEA), 20 U.S.C. s.
175 6311(b)(2)(C)(v)(II); has not significantly increased the
176 percentage of students passing statewide, standardized
177 assessments; has not significantly increased the percentage of
178 students demonstrating Learning Gains, as defined in s. 1008.34
179 and as calculated under s. 1008.34(3)(b), who passed statewide,
180 standardized assessments; or has significantly lower graduation
181 rates for a subgroup when compared to the state's graduation
182 rate, that school's improvement plan shall include strategies

183 for improving these results. The state board shall adopt rules
184 establishing thresholds and for determining compliance with this
185 subparagraph.

186 2. A school that serves any students in kindergarten
187 through grade ~~includes any of grades 6, 7, or 8~~ shall include
188 annually in its school improvement plan information and data on
189 the school's early warning system required under paragraph (b),
190 including a list of the early warning indicators used in the
191 system, the number of students identified by the system as
192 exhibiting two or more early warning indicators, the number of
193 students by grade level that exhibit each early warning
194 indicator, and a description of all intervention strategies
195 employed by the school to improve the academic performance of
196 students identified by the early warning system. The plan must
197 also ~~In addition, a school that includes any of grades 6, 7, or~~
198 ~~8 shall describe in its school improvement plan the strategies~~
199 ~~used by the school to implement~~ and evaluate the instructional
200 ~~practices for middle grades~~ emphasized by the district's
201 professional development system pursuant to s. 1012.98(4)(b)9.
202 and 10.

203 (b) Early warning system.—

204 1. A school that serves any students in kindergarten
205 through grade ~~includes any of grades 6, 7, or 8~~ shall implement
206 an early warning system to identify students in these grades ~~6,~~
207 ~~7, and 8~~ who need additional support to improve academic
208 performance and stay engaged in school. The early warning system

209 must include the following early warning indicators:

210 a. Attendance below 90 percent, regardless of whether
211 absence is excused or a result of out-of-school suspension.

212 b. One or more suspensions, whether in school or out of
213 school.

214 c. Course failure in English Language Arts or mathematics
215 during any grading period.

216 d. A Level 1 score on the statewide, standardized
217 assessments in English Language Arts or mathematics or, for
218 students in kindergarten through grade 3, a substantial reading
219 deficiency as provided in s. 1008.25(5)(a).

220

221 A school district may identify additional early warning
222 indicators for use in a school's early warning system.

223 2. A school-based team responsible for implementing the
224 requirements of this paragraph shall monitor the data from the
225 early warning system in subparagraph (a)2. The team may include
226 a school psychologist. When a student exhibits two or more early
227 warning indicators, the team shall ~~school's child study team~~
228 ~~under s. 1003.02 or a school-based team formed for the purpose~~
229 ~~of implementing the requirements of this paragraph shall convene~~
230 ~~to~~ determine, in consultation with the student's parent,
231 appropriate intervention strategies for the student unless the
232 student is already being served by an intervention program at
233 the direction of a school-based, multidisciplinary team. Data
234 and information relating to a student's early warning indicators

235 must be used to inform any intervention strategies provided to
236 the student ~~The school shall provide at least 10 days' written~~
237 ~~notice of the meeting to the student's parent, indicating the~~
238 ~~meeting's purpose, time, and location, and provide the parent~~
239 ~~the opportunity to participate.~~

240 Section 3. Subsection (11) of section 1002.20, Florida
241 Statutes, is amended to read:

242 1002.20 K-12 student and parent rights.—Parents of public
243 school students must receive accurate and timely information
244 regarding their child's academic progress and must be informed
245 of ways they can help their child to succeed in school. K-12
246 students and their parents are afforded numerous statutory
247 rights including, but not limited to, the following:

248 (11) STUDENTS WITH READING DEFICIENCIES.—The parent of any
249 K-3 student who exhibits a substantial reading deficiency shall
250 be immediately notified of the student's deficiency pursuant to
251 s. 1008.25(5) and ~~with a description and explanation, in terms~~
252 ~~understandable to the parent, of the exact nature of the~~
253 ~~student's difficulty in learning and lack of achievement in~~
254 ~~reading,~~ shall be consulted in the development of a plan, as
255 described in s. 1008.25(4)(b); ~~and shall be informed that the~~
256 ~~student will be given intensive reading instruction until the~~
257 ~~deficiency is corrected. This subsection operates in addition to~~
258 ~~the remediation and notification provisions contained in s.~~
259 ~~1008.25 and in no way reduces the rights of a parent or the~~
260 ~~responsibilities of a school district under that section.~~

261 Section 4. Subsection (1) of section 1002.59, Florida
262 Statutes, is amended to read:

263 1002.59 Emergent literacy and performance standards
264 training courses.—

265 (1) The office shall adopt minimum standards for one or
266 more training courses in emergent literacy for prekindergarten
267 instructors. Each course must comprise 5 clock hours and provide
268 instruction in explicit, systematic, and multisensory
269 instruction ~~strategies and techniques~~ to address the age-
270 appropriate progress of prekindergarten students in developing
271 emergent literacy skills, including oral communication,
272 knowledge of print and letters, phonemic and phonological
273 awareness, and vocabulary and comprehension development. Each
274 course must address early identification of and intervention for
275 students experiencing difficulties with emergent literacy skills
276 and ~~also~~ provide resources containing strategies that allow
277 students with disabilities and other special needs to derive
278 maximum benefit from the Voluntary Prekindergarten Education
279 Program. Successful completion of an emergent literacy training
280 course approved under this section satisfies requirements for
281 approved training in early literacy and language development
282 under ss. 402.305(2)(d)5., 402.313(6), and 402.3131(5).

283 Section 5. Paragraphs (a) and (c) of subsection (3) of
284 section 1002.67, Florida Statutes, are amended, and paragraphs
285 (d), (e), and (f) are added to that subsection, to read:

286 1002.67 Performance standards; curricula and

287 accountability.—

288 (3)

289 (a) Contingent upon legislative appropriation, each
 290 private prekindergarten provider and public school in the
 291 Voluntary Prekindergarten Education Program must implement an
 292 evidence-based pre- and post-assessment that has been approved
 293 by the office ~~rule of the State Board of Education~~.

294 (c) The pre- and post-assessment must be administered by
 295 individuals meeting requirements established by the office ~~rule~~
 296 ~~of the State Board of Education~~.

297 (d) Students who exhibit a deficiency in emergent literacy
 298 skills, including oral communication, knowledge of print and
 299 letters, phonemic and phonological awareness, and vocabulary and
 300 comprehension development, must be provided intensive, explicit,
 301 and systematic instruction.

302 (e) The office shall identify by rule guidelines for
 303 determining whether a student has exhibited a deficiency in
 304 emergent literacy skills.

305 (f) The office shall provide examples of appropriate
 306 instructional strategies and supports to remediate identified
 307 deficiencies in emergent literacy skills.

308 Section 6. Subsections (1) and (2) of section 1002.69,
 309 Florida Statutes, are amended to read:

310 1002.69 Statewide kindergarten screening; kindergarten
 311 readiness rates; state-approved prekindergarten enrollment
 312 screening; good cause exemption.—

313 (1) The department shall adopt a statewide kindergarten
 314 screening that assesses the readiness of each student for
 315 kindergarten based upon the performance standards adopted by the
 316 office ~~department~~ under s. 1002.67(1) for the Voluntary
 317 Prekindergarten Education Program. The department shall require
 318 that each school district administer the statewide kindergarten
 319 screening to each kindergarten student in the school district
 320 within the first 30 school days of each school year. Nonpublic
 321 schools may administer the statewide kindergarten screening to
 322 each kindergarten student in a nonpublic school who was enrolled
 323 in the Voluntary Prekindergarten Education Program.

324 (2) The statewide kindergarten screening shall provide
 325 objective data concerning each student's readiness for
 326 kindergarten and progress in attaining the performance standards
 327 adopted by the office under s. 1002.67(1). Data from the
 328 screening, along with other available data, must be used to
 329 identify students in need of intervention and support pursuant
 330 to s. 1008.25(5).

331 Section 7. Paragraphs (b) and (c) of subsection (2) of
 332 section 1004.04, Florida Statutes, are amended to read:

333 1004.04 Public accountability and state approval for
 334 teacher preparation programs.—

335 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

336 (b) The rules to establish uniform core curricula for each
 337 state-approved teacher preparation program must include, but are
 338 not limited to, the following:

- 339 1. The Florida Educator Accomplished Practices.
- 340 2. The state-adopted content standards.
- 341 3. Scientifically researched reading instruction,
- 342 including explicit, systematic, and multisensory approaches to
- 343 reading instruction and intervention that are proven to improve
- 344 reading performance for all students.
- 345 4. Content literacy and mathematics practices.
- 346 5. Strategies appropriate for the instruction of English
- 347 language learners.
- 348 6. Strategies appropriate for the instruction of students
- 349 with disabilities.
- 350 7. School safety.

351 (c) Each candidate must receive instruction and be
 352 assessed on the uniform core curricula in the candidate's area
 353 or areas of program concentration, including reading instruction
 354 under s. 1012.567, as applicable, during course work and field
 355 experiences.

356 Section 8. Paragraphs (a) and (b) of subsection (3) of
 357 section 1004.85, Florida Statutes, are amended to read:

358 1004.85 Postsecondary educator preparation institutes.—

359 (3) Educator preparation institutes approved pursuant to
 360 this section may offer competency-based certification programs
 361 specifically designed for noneducation major baccalaureate
 362 degree holders to enable program participants to meet the
 363 educator certification requirements of s. 1012.56. An educator
 364 preparation institute choosing to offer a competency-based

365 certification program pursuant to the provisions of this section
366 must implement a program previously approved by the Department
367 of Education for this purpose or a program developed by the
368 institute and approved by the department for this purpose.
369 Approved programs shall be available for use by other approved
370 educator preparation institutes.

371 (a) Within 90 days after receipt of a request for
372 approval, the Department of Education shall approve a
373 preparation program pursuant to the requirements of this
374 subsection or issue a statement of the deficiencies in the
375 request for approval. The department shall approve a
376 certification program if the institute provides evidence of the
377 institute's capacity to implement a competency-based program
378 that includes each of the following:

379 1.a. Participant instruction and assessment in the Florida
380 Educator Accomplished Practices.

381 b. The state-adopted student content standards.

382 c. Scientifically researched reading instruction,
383 including explicit, systematic, and multisensory approaches to
384 reading instruction and intervention that are proven to improve
385 reading performance for all students.

386 d. Content literacy and mathematical practices.

387 e. Strategies appropriate for instruction of English
388 language learners.

389 f. Strategies appropriate for instruction of students with
390 disabilities.

391 g. School safety.

392 2. An educational plan for each participant to meet
393 certification requirements and demonstrate his or her ability to
394 teach the subject area for which the participant is seeking
395 certification, which is based on an assessment of his or her
396 competency in the areas listed in subparagraph 1.

397 3. Field experiences appropriate to the certification
398 subject area specified in the educational plan with a diverse
399 population of students in a variety of settings under the
400 supervision of qualified educators.

401 4. A certification ombudsman to facilitate the process and
402 procedures required for participants who complete the program to
403 meet any requirements related to the background screening
404 pursuant to s. 1012.32 and educator professional or temporary
405 certification pursuant to s. 1012.56.

406 (b) Each program participant must:

407 1. Meet certification requirements pursuant to s.
408 1012.56(1) by obtaining a statement of status of eligibility in
409 the certification subject area of the educational plan and meet
410 the requirements of s. 1012.56(2) (a)-(f).

411 2. Participate in coursework and field experiences that
412 are appropriate to his or her educational plan prepared under
413 paragraph (a), including reading instruction under s. 1012.567,
414 as applicable.

415 3. Before completion of the program, fully demonstrate his
416 or her ability to teach the subject area for which he or she is

417 seeking certification by documenting a positive impact on
418 student learning growth in a prekindergarten through grade 12
419 setting and achieving a passing score on the professional
420 education competency examination, the basic skills examination,
421 and the subject area examination for the subject area
422 certification which is required by state board rule.

423 Section 9. Subsection (3), paragraph (b) of subsection
424 (4), paragraphs (a) and (c) of subsection (5), paragraph (b) of
425 subsection (6), subsection (7), and paragraph (a) of subsection
426 (8) of section 1008.25, Florida Statutes, are amended, and
427 paragraph (d) is added to subsection (5) of that section, to
428 read:

429 1008.25 Public school student progression; student
430 support; reporting requirements.—

431 (3) ALLOCATION OF RESOURCES.—District school boards shall
432 allocate remedial and supplemental instruction resources to
433 students in the following priority:

434 (a) Students in kindergarten through grade 3 who have a
435 substantial deficiency ~~are deficient~~ in reading as determined in
436 paragraph (5) (a) ~~by the end of grade 3~~.

437 (b) Students who fail to meet performance levels required
438 for promotion consistent with the district school board's plan
439 for student progression required in subsection (2) ~~paragraph~~
440 ~~(2) (b)~~.

441 (4) ASSESSMENT AND SUPPORT.—

442 (b) A student who has a substantial reading deficiency as

443 determined in paragraph (5)(a) or is not meeting the school
444 ~~district or~~ state requirements for satisfactory performance in
445 English Language Arts and mathematics must be covered by ~~one of~~
446 ~~the following plans:~~

447 1. a federally required student plan, such as an
448 individual education plan, ;

449 2. ~~A schoolwide system of progress monitoring for all~~
450 ~~students, except a student who scores Level 4 or above on the~~
451 ~~English Language Arts and mathematics assessments may be~~
452 ~~exempted from participation by the principal; or~~

453 3. an individualized progress monitoring plan, or both, as
454 necessary.

455 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

456 (a) Any student in kindergarten through grade 3 who
457 exhibits a substantial deficiency in reading, based upon
458 screening, diagnostic, progress monitoring, or assessment data;
459 ~~locally determined or statewide assessments; conducted in~~
460 ~~kindergarten or grade 1, grade 2, or grade 3, or through teacher~~
461 ~~observations,~~ must be provided given intensive, explicit,
462 systematic, and multisensory reading interventions instruction
463 immediately following the identification of the reading
464 deficiency. A school may not wait for a student to receive a
465 failing grade at the end of a grading period to identify the
466 student as having a substantial reading deficiency and initiate
467 intensive reading interventions. The student's reading
468 proficiency must be monitored and the intensive interventions

469 ~~instruction~~ must continue until the student demonstrates grade
470 level proficiency in a manner determined by the district, which
471 may include achieving a Level 3 on the statewide, standardized
472 English Language Arts assessment. The State Board of Education
473 shall identify by rule guidelines for determining whether a
474 student in kindergarten through grade 3 has a substantial
475 deficiency in reading.

476 (c) The parent of any student who exhibits a substantial
477 deficiency in reading, as described in paragraph (a), must be
478 notified in writing of the following:

479 1. That his or her child has been identified as having a
480 substantial deficiency in reading, including a description and
481 explanation, in terms understandable to the parent, of the exact
482 nature of the student's difficulty in learning and lack of
483 achievement in reading.

484 2. A description of the current services that are provided
485 to the child.

486 3. A description of the proposed intensive interventions
487 ~~supplemental instructional services~~ and supports that will be
488 provided to the child that are designed to remediate the
489 identified area of reading deficiency.

490 4. That if the child's reading deficiency is not
491 remediated by the end of grade 3, the child must be retained
492 unless he or she is exempt from mandatory retention for good
493 cause.

494 5. Opportunities to observe effective instruction and

495 intervention strategies in the classroom; receive literacy
496 instruction from the school or through community adult literacy
497 initiatives; and receive strategies, including multisensory
498 strategies, through a read-at-home plan the parent can for
499 ~~parents to~~ use in helping his or her ~~their~~ child succeed in
500 reading proficiency.

501 6. That the statewide, standardized English Language Arts
502 assessment is not the sole determiner of promotion and that
503 additional evaluations, portfolio reviews, and assessments are
504 available to the child to assist parents and the school district
505 in knowing when a child is reading at or above grade level and
506 ready for grade promotion.

507 7. The district's specific criteria and policies for a
508 portfolio as provided in subparagraph (6)(b)4. and the evidence
509 required for a student to demonstrate mastery of Florida's
510 academic standards for English Language Arts. A parent of a
511 student in grade 3 who is identified anytime during the year as
512 being at risk of retention may request that the school
513 immediately begin collecting evidence for a portfolio.

514 8. The district's specific criteria and policies for
515 midyear promotion. Midyear promotion means promotion of a
516 retained student at any time during the year of retention once
517 the student has demonstrated ability to read at grade level.

518
519 After initial notification, the school shall apprise the parent,
520 at least monthly, of the student's growth toward meeting goals

521 based on the student's grade level and the Next Generation
522 Sunshine State Standards for English Language Arts. These
523 communications must be in writing and must explain any
524 additional interventions or supports that will be used to
525 accelerate the student's progress if the interventions and
526 supports already being implemented have not resulted in
527 improvement.

528 (d) The Department of Education shall develop a handbook
529 that schools must provide to the parent of a student who is
530 identified as having a substantial reading deficiency. The
531 handbook must be made available in an electronic format that is
532 accessible online and must include the following information:

533 1. An overview of the requirements for interventions and
534 supports that districts must provide to students who do not make
535 adequate academic progress.

536 2. An overview of the procedural requirements for
537 initiating and conducting evaluations for exceptional education
538 eligibility. The overview must include an explanation that a
539 diagnosis of a medical condition alone is not sufficient to
540 establish exceptional education eligibility but may be used to
541 document how that condition relates to the student's eligibility
542 determination and may be disclosed in an eligible student's
543 individual education plan (IEP) when necessary to inform school
544 personnel responsible for implementing the IEP.

545 3. Characteristics of conditions associated with learning
546 disorders, including dyslexia, dysgraphia, dyscalculia, and

547 developmental aphasia and other information to support informed
548 parent involvement in decisionmaking processes for students who
549 have difficulty with learning. For purposes of this
550 subparagraph, the terms "dyslexia" and "dyscalculia" have the
551 same meanings as used in the Diagnostic and Statistical Manual
552 of Mental Disorders, Fifth Edition, published by the American
553 Psychiatric Association.

554 (6) ELIMINATION OF SOCIAL PROMOTION.—

555 (b) The district school board may only exempt students
556 from mandatory retention, as provided in paragraph (5) (b), for
557 good cause. A student who is promoted to grade 4 with a good
558 cause exemption shall be provided intensive reading instruction
559 and intervention that include specialized diagnostic information
560 and specific reading strategies to meet the needs of each
561 student so promoted. The school district shall assist schools
562 and teachers with the implementation of explicit, systematic,
563 and multisensory reading instruction and intervention strategies
564 for students promoted with a good cause exemption which research
565 has shown to be successful in improving reading among students
566 who have reading difficulties. Good cause exemptions are limited
567 to the following:

568 1. Limited English proficient students who have had less
569 than 2 years of instruction in an English for Speakers of Other
570 Languages program based on the initial date of entry into a
571 school in the United States.

572 2. Students with disabilities whose individual education

573 plan indicates that participation in the statewide assessment
574 program is not appropriate, consistent with the requirements of
575 s. 1008.212.

576 3. Students who demonstrate an acceptable level of
577 performance on an alternative standardized reading or English
578 Language Arts assessment approved by the State Board of
579 Education.

580 4. A student who demonstrates through a student portfolio
581 that he or she is performing at least at Level 2 on the
582 statewide, standardized English Language Arts assessment.

583 5. Students with disabilities who take the statewide,
584 standardized English Language Arts assessment and who have an
585 individual education plan or a Section 504 plan that reflects
586 that the student has received intensive instruction in reading
587 or English Language Arts for more than 2 years but still
588 demonstrates a deficiency and was previously retained in
589 kindergarten, grade 1, grade 2, or grade 3.

590 6. Students who have received intensive reading
591 intervention for 2 or more years but still demonstrate a
592 deficiency in reading and who were previously retained in
593 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
594 years. A student may not be retained more than once in grade 3.

595 ~~7. Students who have received intensive remediation in~~
596 ~~reading or English Language Arts for 2 or more years but still~~
597 ~~demonstrate a deficiency and who were previously retained in~~
598 ~~kindergarten, grade 1, grade 2, or grade 3 for a total of 2~~

599 ~~years. Intensive instruction for students so promoted must~~
600 ~~include an altered instructional day that includes specialized~~
601 ~~diagnostic information and specific reading strategies for each~~
602 ~~student. The district school board shall assist schools and~~
603 ~~teachers to implement reading strategies that research has shown~~
604 ~~to be successful in improving reading among low-performing~~
605 ~~readers.~~

606 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
607 STUDENTS.—

608 (a) Students retained under ~~the provisions of~~ paragraph
609 (5) (b) must be provided intensive interventions in reading to
610 ameliorate the student's specific reading deficiency and prepare
611 the student for promotion to the next grade. These
612 interventions, ~~as identified by a valid and reliable diagnostic~~
613 ~~assessment. This intensive intervention must include:~~

614 1. Evidence-based, explicit, systematic, and multisensory
615 reading instruction in phonemic awareness, phonics, fluency,
616 vocabulary, and comprehension and other strategies prescribed by
617 the school district. ~~effective instructional strategies,~~

618 2. Participation in the school district's summer reading
619 camp, which must incorporate the instructional and intervention
620 strategies under subparagraph 1, ~~and appropriate teaching~~
621 ~~methodologies necessary to assist those students in becoming~~
622 ~~successful readers, able to read at or above grade level, and~~
623 ~~ready for promotion to the next grade.~~

624 3. A minimum of 90 minutes of daily, uninterrupted reading

625 instruction incorporating the instructional and intervention
626 strategies under subparagraph 1. This instruction may include:
627 ~~(b) Each school district shall:~~
628 ~~1. Provide third grade students who are retained under the~~
629 ~~provisions of paragraph (5) (b) with intensive instructional~~
630 ~~services and supports to remediate the identified areas of~~
631 ~~reading deficiency, including participation in the school~~
632 ~~district's summer reading camp as required under paragraph (a),~~
633 ~~and a minimum of 90 minutes of daily, uninterrupted,~~
634 ~~scientifically research-based reading instruction which includes~~
635 ~~phonemic awareness, phonics, fluency, vocabulary, and~~
636 ~~comprehension and other strategies prescribed by the school~~
637 ~~district, which may include, but are not limited to:~~
638 a. Integration of content-rich, nonfiction texts in
639 science and social studies ~~content~~ within the 90-minute block.
640 b. Small group instruction.
641 c. Reduced teacher-student ratios.
642 d. More frequent progress monitoring.
643 e. Tutoring or mentoring.
644 f. Transition classes containing 3rd and 4th grade
645 students.
646 g. Extended school day, week, or year.
647 (b) Each school district shall:
648 1.2. Provide written notification to the parent of a
649 student who is retained under ~~the provisions of~~ paragraph (5) (b)
650 that his or her child has not met the proficiency level required

651 for promotion and the reasons the child is not eligible for a
652 good cause exemption as provided in paragraph (6) (b). The
653 notification must comply with paragraph (5) (c) ~~the provisions of~~
654 ~~s. 1002.20(15)~~ and must include a description of proposed
655 interventions and supports that will be provided to the child to
656 remediate the identified areas of reading deficiency.

657 ~~2.3.~~ Implement a policy for the midyear promotion of a
658 student retained under ~~the provisions of~~ paragraph (5) (b) who
659 can demonstrate that he or she is a successful and independent
660 reader and performing at or above grade level in reading or,
661 upon implementation of English Language Arts assessments,
662 performing at or above grade level in English Language Arts.
663 Tools that school districts may use in reevaluating a student
664 retained may include subsequent assessments, alternative
665 assessments, and portfolio reviews, in accordance with rules of
666 the State Board of Education. Students promoted during the
667 school year after November 1 must demonstrate proficiency levels
668 in reading equivalent to the level necessary for the beginning
669 of grade 4. The rules adopted by the State Board of Education
670 must include standards that provide a reasonable expectation
671 that the student's progress is sufficient to master appropriate
672 grade 4 level reading skills.

673 ~~3.4.~~ Provide students who are retained under the
674 provisions of paragraph (5) (b), including students participating
675 in the school district's summer reading camp under subparagraph
676 (a)2., with a highly effective teacher as determined by the

677 teacher's performance evaluation under s. 1012.34, and,
678 beginning July 1, 2019, the teacher must also be certified or
679 endorsed in reading.

680 4.5. Establish at each school, when applicable, an
681 intensive reading acceleration course ~~Class~~ for any student
682 retained in grade 3 who was previously retained in kindergarten,
683 grade 1, or grade 2 students who subsequently score Level 1 on
684 the required statewide, standardized assessment identified in s.
685 1008.22. The focus of the Intensive Acceleration Class shall be
686 to increase a child's reading and English Language Arts skill
687 level at least two grade levels in 1 school year. The intensive
688 reading acceleration course must provide the following ~~Class~~
689 ~~shall:~~

690 a. Uninterrupted reading instruction for the majority of
691 student contact time each day and opportunities to master the
692 grade 4 Next Generation Sunshine State Standards in other core
693 subject areas through content-rich, nonfiction texts.

694 b. Small group instruction.

695 c. Reduced teacher-student ratios.

696 d. The use of explicit, systematic, and multisensory
697 reading interventions, including intensive language and
698 vocabulary instruction and use of a speech-language therapist if
699 necessary, that have proven results in accelerating student
700 reading achievement within the same school year.

701 e. A read-at-home plan.

702 ~~a. Be provided to a student in grade 3 who scores Level 1~~

703 ~~on the statewide, standardized English Language Arts assessment~~
704 ~~and who was retained in grade 3 the prior year because of~~
705 ~~scoring Level 1.~~

706 ~~b. Have a reduced teacher-student ratio.~~

707 ~~e. Provide uninterrupted reading instruction for the~~
708 ~~majority of student contact time each day and incorporate~~
709 ~~opportunities to master the grade 4 Next Generation Sunshine~~
710 ~~State Standards in other core subject areas.~~

711 ~~d. Use a reading program that is scientifically research-~~
712 ~~based and has proven results in accelerating student reading~~
713 ~~achievement within the same school year.~~

714 ~~e. Provide intensive language and vocabulary instruction~~
715 ~~using a scientifically research-based program, including use of~~
716 ~~a speech-language therapist.~~

717 (8) ANNUAL REPORT.—

718 (a) In addition to the requirements in paragraph (5) (b),
719 each district school board must annually report to the parent of
720 each student the progress of the student toward achieving state
721 and district expectations for proficiency in English Language
722 Arts, science, social studies, and mathematics. The district
723 school board must report to the parent the student's results on
724 each statewide, standardized assessment. The evaluation of each
725 student's progress must be based upon the student's classroom
726 work, observations, tests, district and state assessments,
727 response to intensive interventions provided under paragraph
728 (5) (a), and other relevant information. Progress reporting must

729 | be provided to the parent in writing in a format adopted by the
730 | district school board.

731 | Section 10. Subsection (5) of section 1008.345, Florida
732 | Statutes, is amended to read:

733 | 1008.345 Implementation of state system of school
734 | improvement and education accountability.—

735 | (5) The commissioner shall annually report to the State
736 | Board of Education and the Legislature and recommend changes in
737 | state policy necessary to foster school improvement and
738 | education accountability. The report shall include:

739 | (a) For each school district:

740 | 1. The percentage of students, by school and grade level,
741 | demonstrating learning growth in English Language Arts and
742 | mathematics.

743 | 2. The percentage of students, by school and grade level,
744 | in both the highest and lowest quartiles demonstrating learning
745 | growth in English Language Arts and mathematics.

746 | 3. The information contained in the school district's
747 | annual report required under s. 1008.25(8).

748 | (b) Intervention and support strategies used by school
749 | districts ~~boards~~ whose students in both the highest and lowest
750 | quartiles exceed the statewide average learning growth for
751 | students in those quartiles.

752 | (c) Intervention and support strategies used by school
753 | districts ~~boards~~ whose schools provide educational services to
754 | youth in Department of Juvenile Justice programs that

755 demonstrate learning growth in English Language Arts and
756 mathematics that exceeds the statewide average learning growth
757 for students in those subjects.

758 (d) Based upon a review of each school district's reading
759 plan submitted pursuant to s. 1011.62(9), intervention and
760 support strategies used by school districts that were effective
761 in improving the reading performance of students, as indicated
762 by student performance data, who are identified as having a
763 substantial reading deficiency pursuant to s. 1008.25(5)(a).

764

765 School reports shall be distributed pursuant to this subsection
766 and s. 1001.42(18)(c) and according to rules adopted by the
767 State Board of Education.

768 Section 11. Subsection (2) of section 1011.67, Florida
769 Statutes, is amended to read:

770 1011.67 Funds for instructional materials.—

771 (2) Annually by July 1 and before ~~prior to~~ the release of
772 instructional materials funds, each district school
773 superintendent shall certify to the Commissioner of Education
774 that the district school board has approved a comprehensive
775 staff development plan that supports fidelity of implementation
776 of instructional materials programs, including. ~~The report shall~~
777 ~~include~~ verification that training was provided; and that the
778 materials are being implemented as designed; and, beginning July
779 1, 2020, for core reading materials and supplemental
780 intervention reading materials used in kindergarten through

781 grade 5, that the materials meet the requirements of s.
782 1001.215(7). This paragraph does not preclude school districts
783 from purchasing or using other materials to supplement reading
784 instruction and provide additional skills practice.

785 Section 12. Section 1012.567, Florida Statutes, is created
786 to read:

787 1012.567 Certification and endorsement of elementary
788 reading instructors.—

789 (1) CERTIFICATION.—

790 (a) Beginning January 1, 2019, an applicant for an
791 educator certificate in an area involving reading instruction or
792 intervention for any students in kindergarten through grade 6
793 must, as part of the certification process, demonstrate
794 competence in the following:

795 1. Identifying characteristics of conditions such as
796 dyslexia and other causes of diminished phonological processing
797 skills.

798 2. Using explicit, systematic, and multisensory approaches
799 to reading instruction and intervention that are proven to
800 improve reading performance for all students.

801 3. Using predictive and other data to make instructional
802 decisions based on individual student needs.

803

804 The State Board of Education shall adopt by rule the minimum
805 requirements for instruction provided by teacher preparation
806 programs and school districts for this purpose and methods for

807 demonstrating competence in accordance with this section.

808 (b) Documentation of a valid professional standard
809 teaching certificate issued by another state is not sufficient
810 to meet the requirements of paragraph (a). The State Board of
811 Education shall establish a procedure by which a candidate who
812 holds a certificate issued by another state may demonstrate
813 competence as required in paragraph (a).

814 (c) The State Board of Education shall identify by rule
815 certification areas in which candidates must demonstrate
816 competence as provided in paragraph (a) as part of the
817 certification process.

818 (d) To receive initial or continued approval, a teacher
819 preparation program under s. 1004.04 or s. 1004.85 must provide
820 instruction in the skills and strategies listed in paragraph (a)
821 to candidates for certificates in the areas identified by the
822 state board pursuant to paragraph (c).

823 (2) ENDORSEMENT.—Beginning with applications for a reading
824 endorsement received on January 1, 2019, and thereafter, the
825 specialization requirements for an endorsement in reading
826 instruction must include at least 3 semester hours of
827 instruction in explicit, systematic, and multisensory approaches
828 to reading instruction and intervention that are proven to
829 improve reading performance for all students. This instruction
830 may be incorporated into semester hour requirements established
831 in State Board of Education rule. Reading endorsement
832 competencies must be aligned with instructional and intervention

833 strategies in accordance with s. 1001.215(7).

834 (3) REVIEW.—By July 1, 2017, and at least once every 5
835 years thereafter, the department shall conduct a review of
836 specialization and coverage area requirements in the elementary,
837 reading, and exceptional student educational areas. At the
838 conclusion of each review, the department shall recommend to the
839 State Board of Education changes to the specialization and
840 coverage area requirements based upon any identified
841 instructional or intervention strategies proven to improve
842 student reading performance.

843 (4) STATE BOARD RULES.—The State Board of Education shall
844 adopt rules pursuant to ss. 120.536 and 120.54 as necessary to
845 implement this section.

846 Section 13. Paragraph (a) of subsection (3) of section
847 1012.585, Florida Statutes, is amended, and paragraph (f) is
848 added to that subsection, to read:

849 1012.585 Process for renewal of professional
850 certificates.—

851 (3) For the renewal of a professional certificate, the
852 following requirements must be met:

853 (a) The applicant must earn a minimum of 6 college credits
854 or 120 inservice points or a combination thereof. For each area
855 of specialization to be retained on a certificate, the applicant
856 must earn at least 3 of the required credit hours or equivalent
857 inservice points in the specialization area. Education in
858 "clinical educator" training pursuant to s. 1004.04(5)(b) and

859 credits or points that provide training in the area of
860 scientifically researched, knowledge-based reading literacy,
861 including explicit, systematic, and multisensory approaches to
862 reading instruction and intervention; ~~and~~ computational skills
863 acquisition;~~;~~ exceptional student education;~~;~~ normal child
864 development;~~;~~ and the disorders of development may be applied
865 toward any specialization area. Credits or points that provide
866 training in the areas of drug abuse, child abuse and neglect,
867 strategies in teaching students having limited proficiency in
868 English, or dropout prevention, or training in areas identified
869 in the educational goals and performance standards adopted
870 pursuant to ss. 1000.03(5) and 1008.345 may be applied toward
871 any specialization area, except specialization areas identified
872 by State Board of Education rule as involving reading
873 instruction or intervention for any students in kindergarten
874 through grade 6 under s. 1012.567(1)(c). Credits or points
875 earned through approved summer institutes may be applied toward
876 the fulfillment of these requirements. Inservice points may also
877 be earned by participation in professional growth components
878 approved by the State Board of Education and specified pursuant
879 to s. 1012.98 in the district's approved master plan for
880 inservice educational training; however, such points may not be
881 used to satisfy the specialization requirements of this
882 paragraph, ~~including, but not limited to, serving as a trainer~~
883 ~~in an approved teacher training activity, serving on an~~
884 ~~instructional materials committee or a state board or commission~~

885 ~~that deals with educational issues, or serving on an advisory~~
886 ~~council created pursuant to s. 1001.452.~~

887 (f) An applicant for renewal of a professional certificate
888 in any area of certification identified by State Board of
889 Education rule pursuant to s. 1012.567(1)(c) with a beginning
890 validity date of July 1, 2019, or thereafter must earn a minimum
891 of 2 college credits or the equivalent inservice points in the
892 use of explicit, systematic, and multisensory approaches to
893 reading instruction and intervention. Such training must be
894 provided by teacher preparation programs under s. 1004.04 or s.
895 1004.85 or approved school district professional development
896 systems under s. 1012.98. The requirements in this paragraph may
897 not add to the total hours required by the department for
898 continuing education or inservice training.

899 Section 14. Subsection (1) of section 1012.586, Florida
900 Statutes, is amended to read:

901 1012.586 Additions or changes to certificates; duplicate
902 certificates.—A school district may process via a Department of
903 Education website certificates for the following applications of
904 public school employees:

905 (1) Addition of a subject coverage or endorsement to a
906 valid Florida certificate on the basis of the completion of the
907 appropriate subject area testing requirements of s.
908 1012.56(5)(a) or the completion of the requirements of an
909 approved school district program or the inservice components for
910 an endorsement. To reduce duplication, the department may

911 recommend the consolidation of endorsement areas and
912 requirements to the State Board of Education.

913

914 The employing school district shall charge the employee a fee
915 not to exceed the amount charged by the Department of Education
916 for such services. Each district school board shall retain a
917 portion of the fee as defined in the rules of the State Board of
918 Education. The portion sent to the department shall be used for
919 maintenance of the technology system, the web application, and
920 posting and mailing of the certificate.

921 Section 15. Paragraph (b) of subsection (4) of section
922 1012.98, Florida Statutes, is amended to read:

923 1012.98 School Community Professional Development Act.—

924 (4) The Department of Education, school districts,
925 schools, Florida College System institutions, and state
926 universities share the responsibilities described in this
927 section. These responsibilities include the following:

928 (b) Each school district shall develop a professional
929 development system as specified in subsection (3). The system
930 shall be developed in consultation with teachers, teacher-
931 educators of Florida College System institutions and state
932 universities, business and community representatives, and local
933 education foundations, consortia, and professional
934 organizations. The professional development system must:

935 1. Be approved by the department. All substantial
936 revisions to the system shall be submitted to the department for

937 review for continued approval.

938 2. Be based on analyses of student achievement data and
939 instructional strategies and methods that support rigorous,
940 relevant, and challenging curricula for all students. Schools
941 and districts, in developing and refining the professional
942 development system, shall also review and monitor school
943 discipline data; school environment surveys; assessments of
944 parental satisfaction; performance appraisal data of teachers,
945 managers, and administrative personnel; and other performance
946 indicators to identify school and student needs that can be met
947 by improved professional performance.

948 3. Provide inservice activities coupled with followup
949 support appropriate to accomplish district-level and school-
950 level improvement goals and standards. The inservice activities
951 for instructional personnel shall focus on analysis of student
952 achievement data, ongoing formal and informal assessments of
953 student achievement, identification and use of enhanced and
954 differentiated instructional strategies that emphasize rigor,
955 relevance, and reading in the content areas, enhancement of
956 subject content expertise, integrated use of classroom
957 technology that enhances teaching and learning, classroom
958 management, parent involvement, and school safety.

959 4. Include a master plan for inservice activities,
960 pursuant to rules of the State Board of Education, for all
961 district employees from all fund sources. The master plan shall
962 be updated annually by September 1, must be based on input from

963 teachers and district and school instructional leaders, and must
964 use the latest available student achievement data and research
965 to enhance rigor and relevance in the classroom. Each district
966 inservice plan must be aligned to and support the school-based
967 inservice plans and school improvement plans pursuant to s.
968 1001.42(18). Each district inservice plan must provide a
969 description of the training that middle grades instructional
970 personnel and school administrators receive on the district's
971 code of student conduct adopted pursuant to s. 1006.07;
972 integrated digital instruction and competency-based instruction
973 and CAPE Digital Tool certificates and CAPE industry
974 certifications; classroom management; student behavior and
975 interaction; extended learning opportunities for students; and
976 instructional leadership. District plans must be approved by the
977 district school board annually in order to ensure compliance
978 with subsection (1) and to allow for dissemination of research-
979 based best practices to other districts. District school boards
980 must submit verification of their approval to the Commissioner
981 of Education no later than October 1, annually. Each school
982 principal may establish and maintain an individual professional
983 development plan for each instructional employee assigned to the
984 school as a seamless component to the school improvement plans
985 developed pursuant to s. 1001.42(18). An individual professional
986 development plan must be related to specific performance data
987 for the students to whom the teacher is assigned, define the
988 inservice objectives and specific measurable improvements

989 expected in student performance as a result of the inservice
990 activity, and include an evaluation component that determines
991 the effectiveness of the professional development plan.

992 5. Include inservice activities for school administrative
993 personnel that address updated skills necessary for
994 instructional leadership and effective school management
995 pursuant to s. 1012.986.

996 6. Provide for systematic consultation with regional and
997 state personnel designated to provide technical assistance and
998 evaluation of local professional development programs.

999 7. Provide for delivery of professional development by
1000 distance learning and other technology-based delivery systems to
1001 reach more educators at lower costs.

1002 8. Provide for the continuous evaluation of the quality
1003 and effectiveness of professional development programs in order
1004 to eliminate ineffective programs and strategies and to expand
1005 effective ones. Evaluations must consider the impact of such
1006 activities on the performance of participating educators and
1007 their students' achievement and behavior.

1008 9. For middle grades, emphasize:

1009 a. Interdisciplinary planning, collaboration, and
1010 instruction.

1011 b. Alignment of curriculum and instructional materials to
1012 the state academic standards adopted pursuant to s. 1003.41.

1013 c. Use of small learning communities; problem-solving,
1014 inquiry-driven research and analytical approaches for students;

1015 strategies and tools based on student needs; competency-based
1016 instruction; integrated digital instruction; and project-based
1017 instruction.

1018
1019 Each school that includes any of grades 6, 7, or 8 must include
1020 in its school improvement plan, required under s. 1001.42(18), a
1021 description of the specific strategies used by the school to
1022 implement each item listed in this subparagraph.

1023 10. Provide training to reading coaches, classroom
1024 teachers, and school administrators in effective methods of
1025 identifying characteristics of conditions such as dyslexia and
1026 other causes of diminished phonological processing skills;
1027 incorporating instructional techniques into the general
1028 education setting that are proven to improve reading performance
1029 for all students; and using predictive and other data to make
1030 instructional decisions based on individual student needs. The
1031 training must help teachers integrate phonemic awareness;
1032 phonics, word study, and spelling; reading fluency; vocabulary,
1033 including academic vocabulary; and text comprehension strategies
1034 into an explicit, systematic, and multisensory approach to
1035 reading instruction and intervention. Each district must provide
1036 all elementary grades instructional personnel access to training
1037 sufficient to meet the requirements of ss. 1012.567(2) and
1038 1012.585(3) (f).

1039 Section 16. For the 2016-2017 fiscal year, the sums of
1040 \$286,850 in recurring funds and \$57,998 in nonrecurring funds

CS/CS/HB 7021

CORRECTED COPY

2016

1041 from the General Revenue Fund are appropriated to the Department
1042 of Education, and two full-time equivalent positions with
1043 associated salary rate of 190,000 are authorized, for the
1044 purpose of implementing this act.

1045 Section 17. This act shall take effect upon becoming a
1046 law.